



## **ROANOKE CITY COUNCIL**

**NOVEMBER 21, 2005  
12:00 P.M.**

**CITY COUNCIL'S CONFERENCE ROOM  
ROOM 451**

### **AGENDA**

1. Call to Order--Roll Call. (Council Member Wishneff was absent.)
2. Welcome.
3. Invocation and Lunch.
4. Comments by Congressman Goodlatte.
5. Comments by the Mayor and Members of Council.
6. A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A) (1), Code of Virginia (1950), as amended. (Approved 6 - 0)  
File #132

7. A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel regarding pending litigation where such consultation in open session would adversely affect the City's negotiating or litigating posture, pursuant to Section 2.2-3711(A)(7), Code of Virginia (1950), as amended. (Approved 6 – 0)  
File #132

#### **Certification of Closed Session (6-0)**

**The Following persons were appointed/reappointed to boards and commissions:**

**Cheri W. Hartman was reappointed as a member of the Human Services Advisory Board for a term ending November 30, 2009.  
File #15-72-110**

**Robert Williams, Jr., was reappointed as a member of the Blue Ridge Behavioral Healthcare Board of Directors for a term ending December 31, 2008.  
File #15-110-314**

**William D. Poe, Diana B. Shepphard and Joseph F. Miller were reappointed as members of the Board of Zoning Appeals for terms ending December 31, 2008.  
File #15-51-110**

**Carla Terry was appointed as a member of the Roanoke Valley Regional Cable Television Committee for a term ending June 30, 2008.  
File #15-110-448**

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, ROOM 450, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W.**



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**37239-112105**

**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**NOVEMBER 21, 2005  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call. (All Council Members were present.)**

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Today's Council meeting will be replayed on Channel 3 on Thursday, November 24, 2005, at 7:00 p.m., and Saturday, November 26, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), TO OBTAIN AN APPLICATION.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

A Resolution memorializing the late George F. Pollash, former 1989 Citizen of the Year.

**Adopted Resolution No. 37239-112105. (7-0)**  
**File #367-496**

Presentation by Peter Lampman, President, Virginia Amateur Sports, Inc., with regard to the Virginia Commonwealth Games. (Sponsored by the City Manager.)

**File #334**

3.

### **CONSENT AGENDA**

**Approved (7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meetings of Council held on Monday, October 3, 2005, and Monday, October 17, 2005.

**RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.**

- C-2 A communication from S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare, recommending concurrence by Council in the reappointment of Linda H. Bannister as an at-large member of the Blue Ridge Behavioral Healthcare Board of Directors, for a term commencing January 1, 2006 and ending December 31, 2008.

**RECOMMENDED ACTION: Concur in the request.**

**File #15-110-314**

- C-3 A communication from Sherman V. Burroughs, IV, tendering his resignation as a member of the Fair Housing Board.

**RECOMMENDED ACTION: Accept the resignation and receive and file the communication.**

**File #110-178**

- C-4 Qualification of the following persons:

Reginald P. Church as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2010; and

John W. Elliott as a member of the Roanoke Civic Center Commission, for a term ending September 30, 2008.

**RECOMMENDED ACTION: Receive and file.**

**File #15-32-110-192**

## REGULAR AGENDA

### 4. PUBLIC HEARINGS: NONE.

### 5. PETITIONS AND COMMUNICATIONS:

- a. Request to present information with regard to the FY05 Roanoke Teen Pregnancy Prevention Project. Brooks Michael, Coordinator, Teen Pregnancy Prevention Project, Spokesperson. (Sponsored by Mayor C. Nelson Harris and Vice-Mayor Beverly T. Fitzpatrick, Jr.)  
**File #304-370**
- b. Presentation with regard to the importance of identity of communities. Dr. Mindy Thompson Fullilove, Spokesperson. (Sponsored by Mayor C. Nelson Harris and Council Member Brian J. Wishneff.)  
**File #200**
- c. Recommendation by the Clerk of Circuit Court for acceptance of funds from the Library of Virginia, in connection with the Virginia Circuit Court Records Preservation Program; and a communication from the City Manager concurring in the recommendation.  
**Adopted Budget Ordinance No. 37242-112105 and Resolution No. 37243-112105. (7-0)**  
**File #60-103**

### 6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the COPS Interoperable Communications Technology Program Grant from the U. S. Department of Justice; and appropriation of funds.  
**Adopted Budget Ordinance No. 37244-112105 and Resolution No. 37245-112105. (7-0)**  
**File #5-60-236**

2. Acceptance of the Occupant Protection/Safety Restraint Grant and the Enhanced Impaired Driving Enforcement Grant from the United States Department of Transportation; and appropriation of funds.  
**Adopted Budget Ordinance No. 37246-112105 and Resolution No. 37247-112105. (7-0)**  
**File #5-60-236**
3. Acceptance of Workforce Investment Act funding for program year 2005 from the Western Virginia Workforce Development Board; and appropriation of funds.  
**Adopted Budget Ordinance No. 37248-112105 and Resolution No. 37249-112105. (7-0)**  
**File #60-72-236-246**
4. Amendment of the City Code to provide for regulation of bawdy places.  
**Adopted Resolution No. 37250-112105. (7-0)**  
**File #5-24**
5. Appropriation of \$55,000.00 in connection with the open storage component of the O. Winston Link Museum.  
**Adopted Budget Ordinance No. 37251-112105. (7-0)**  
**File #60-537**
6. Appropriation of \$40,000.00 in connection with the Hotel Dumas Artistic and Cultural Center Project.  
**Adopted Budget Ordinance No. 37252-112105. (7-0)**  
**File #60-77-226**
7. Appropriation of funds in connection with the State Asset Sharing and Federal Forfeited Property Sharing programs.  
**Adopted Budget Ordinance No. 37253-112105. (7-0)**  
**File #5-60**

8. Approval of a special policy to pay military reservists/national guard who are called to active duty between October 1, 2005 and September 30, 2006.  
**Adopted Resolution No. 37254-112105. (7-0)**  
**File #184**
9. Authorization to donate a Police Department Animal Control truck to the SPCA to transport animals.  
**Adopted Resolution No. 37255-112105. (7-0)**  
**File #5-54**
10. Execution of Amendment No. 1 to the agreement with the Roanoke City School Board, in connection with the Jackson Middle School Fitness Center.  
**Adopted Resolution No. 37256-112105. (7-0)**  
**File #467**

## **7. REPORTS OF COMMITTEES:**

- a. Proposed 2006 City of Roanoke Legislative Program. Vice-Mayor Beverly T. Fitzpatrick, Jr., Chair, Legislative Committee.  
**Adopted Resolution No. 37241-112105. (7-0)**  
**A meeting of the Legislative Committee will be held on Monday, December 5, 2005 (hour to be announced) to discuss advisory referenda.**  
**File #110-137**
- b. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.  
**Adopted Ordinance No. 37257-112105. (7-0)**  
**File #467**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**



## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Dowe inquired about the holiday schedule for City employees; whereupon, the City Manager advised that both Christmas and New Years Day fall on a Sunday, therefore, City offices will be closed on the Monday following both holidays.**

**File #132-184**

**Council Member Dowe inquired about the status of the City of Roanoke Strategic Housing Plan; whereupon, the City Manager advised that the document will be presented to the City Planning Commission in November. She requested guidance as to whether Council would like a staff briefing prior to the Council's public hearing.**

**File #178-200**

**Council Member Wishneff clarified a report prepared by CSL International that 65 per cent of events held at Victory Stadium are generated by the two high schools and 85 per cent of projected revenue is derived from non-school events.**

**File #122**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. John Graybill, 2443 Tillett Road, S. W.; Mr. Dick Kepley, 550 Kepplewood Road, S. E.; and Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium.**

**File #122**

**Mr. Robert E. Gravely, 727 29th Street, N. W., spoke with regard to the rising cost of health care insurance for City employees, housing in the City of Roanoke, and other general concerns.**

**File #66-184**

## **12. CITY MANAGER COMMENTS:**

**The City Manager advised that in view of the Thanksgiving holiday, solid waste will be picked up one day in advance of the regular collection day which will enable City employees to have a four day break.**

**File #144-184**

**The City Manager advised that the Grandin Road Holiday Parade was held on Saturday, November 19, 2005.**

**File #87**

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, ROOM 450, NOEL C. TAYLOR MUNICIPAL BUILDING.**



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**NOVEMBER 21, 2005  
7:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**Call to Order -- Roll Call.**

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Tonight's Council meeting will be replayed on Channel 3 on Thursday, November 24, 2005, at 7:00 p.m., and Saturday, November 26, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **PRESENTATIONS AND ACKNOWLEDGEMENTS:**

Recognition of Nicholas F. Taubman as the City of Roanoke's 2005 Citizen of the Year.

**Adopted Resolution No. 37240-112105. (7-0)**

**File #496**

### **A. PUBLIC HEARINGS:**

1. Request of Kuumba Community Health & Wellness Center, Inc., for exemption of property located at 3716 Melrose Avenue, N. W., from real estate taxation. Eileen G. Lepro, Executive Director, Spokesperson.

**Adopted Ordinance No. 37258-112105. (7-0)**

**File #79**

2. Amendment of Vision 2001-2020, the City's Comprehensive Plan, to include the Garden City Neighborhood Plan. R. Brian Townsend, Agent, City Planning Commission.

**Adopted Ordinance No. 37259-112105. (7-0)**

**File #424**

- 3.(a) Proposal of the City of Roanoke to amend the City Code to repeal Chapter 36.1, Zoning, and to adopt a new Zoning Ordinance, new Chapter 36.2, Zoning; and

**The ordinance was tabled until the next regular meeting of Council on Monday, December 5, 2005, at 2:00 p.m., at which time the City Manager was requested to provide a projected date for response by City staff to various questions and concerns that were presented at the public hearing.**

**File #51**

- (b) Proposal of the City of Roanoke to rezone all property in the City in order to implement new Chapter 36.2, Zoning, and Vision 2001-2020, the City's Comprehensive Plan, and to adopt new zoning maps. R. Brian Townsend, Agent, City Planning Commission.

**Tabled until Monday, December 5, 2005, at 2:00 p.m.**

**B. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**Mr. Tony Hairston, 1263 Tayloe Avenue, S. E., spoke with regard to alleged police brutality, racial profiling and job discrimination. File #5-11**

**Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium. File #122**

**Mr. Robert E. Gravely, 727 29th Street, N. W., spoke with regard to various concerns. File #66**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**